

PREVAILED

Roll Call No. \_\_\_\_\_

FAILED

Ayes \_\_\_\_\_

WITHDRAWN

Noes \_\_\_\_\_

RULED OUT OF ORDER

## HOUSE MOTION \_\_\_\_\_

MR. SPEAKER:

I move that Engrossed Senate Bill 60 be amended to read as follows:

- 1           Page 3, after line 2, begin a new paragraph and insert:  
2           "SECTION 2. IC 36-7-31.3-8, AS AMENDED BY P.L.178-2002,  
3           SECTION 126, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
4           UPON PASSAGE]: Sec. 8. (a) ~~Except as provided in subsection (d)~~; A  
5           designating body may designate as part of a professional sports and  
6           convention development area any facility that is:  
7           (1) owned by the city, the county, a school corporation, or a  
8           board under IC 36-9-13, IC 36-10-8, IC 36-10-10, or  
9           IC 36-10-11, and used by a professional sports franchise for  
10          practice or competitive sporting events; or  
11          (2) owned by the city, the county, or a board under IC 36-9-13,  
12          IC 36-10-8, IC 36-10-10, or IC 36-10-11, and used as one (1) of  
13          the following:  
14              (A) A facility used principally for convention or tourism related  
15              events serving national or regional markets.  
16              (B) An airport.  
17              (C) A museum.  
18              (D) A zoo.  
19              (E) A facility used for public attractions of national  
20              significance.  
21              (F) A performing arts venue.  
22              (G) A county courthouse registered on the National Register of  
23              Historic Places.  
24          A facility may not include a private golf course or related

improvements. The tax area may include only facilities described in this section and any parcel of land on which a facility is located. An area may contain noncontiguous tracts of land within the city, county, or school corporation.

(b) Except for a tax area that is located in a city having a population of:

(1) more than one hundred fifty thousand (150,000) but less than five hundred thousand (500,000); or

(2) more than ninety thousand (90,000) but less than one hundred five thousand (105,000);

a tax area must include at least one (1) facility described in subsection (a)(1).

(c) Except as provided in subsection (d), a tax area may contain other facilities not owned by the designating body if:

(1) the facility is owned by a city, the county, a school corporation, or a board established under IC 36-9-13, IC 36-10-8, IC 36-10-10, or IC 36-10-11; and

(2) an agreement exists between the designating body and the owner of the facility specifying the distribution and uses of the covered taxes to be allocated under this chapter.

~~(d) In a city having a population of more than ninety thousand (90,000) but less than one hundred five thousand (105,000), the designating body may designate only one (1) facility as part of a tax area. The facility designated as part of the tax area may not be a facility described in subsection (a)(1).~~

SECTION 3. IC 36-7-31.3-19, AS AMENDED BY P.L.178-2002, SECTION 131, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 19. The resolution establishing the tax area must designate the use of the funds. The funds are to be used only for the following:

(1) Except in a tax area in a city having a population of:

(A) more than one hundred fifty thousand (150,000) but less than five hundred thousand (500,000); or

(B) more than ninety thousand (90,000) but less than one hundred five thousand (105,000);

a capital improvement that will construct or equip a facility owned by the city, the county, a school corporation, or a board under IC 36-9-13, IC 36-10-8, IC 36-10-10, or IC 36-10-11 and used by a professional sports franchise for practice or competitive sporting events. In a tax area to which this subdivision applies, funds may also be used for a capital improvement that will construct or equip a facility owned by the city, the county, or a board under IC 36-9-13, IC 36-10-8, IC 36-10-10, or IC 36-10-11 and used for any purpose specified in section 8(a)(2) of this chapter.

(2) In a city having a population of more than one hundred fifty thousand (150,000) but less than five hundred thousand

(500,000), a capital improvement that will construct or equip a facility owned by the city, the county, a school corporation, or a board under IC 36-9-13, IC 36-10-8, IC 36-10-10, or IC 36-10-11 and used for any purpose specified in section 8(a) of this chapter.

(3) In a city having a population of more than ninety thousand (90,000) but less than one hundred five thousand (105,000), a capital improvement that will construct or equip a facility owned by the city, the county, or a board under IC 36-9-13, IC 36-10-8, IC 36-10-10, or IC 36-10-11 and used for any purpose specified in section **8(a)(1) or 8(a)(2)** of this chapter.

(4) The financing or refinancing of a capital improvement described in subdivision (1), (2), or (3) or the payment of lease payments for a capital improvement described in subdivision (1), (2), or (3).

**SECTION 4. An emergency is declared for this act."**

Renumber all SECTIONS consecutively.

(Reference is to ESB 60 as printed February 20, 2004.)

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Representative Brown C